

1-5-17

Chief Judge
United States Bankruptcy Ct,
900 Market St
Phila PA 19106

John J Lynch
562783 CFCF
7901 State Rd
Phila PA 19136

Dear Chief Judge,

I am acting with all due diligence concerning the matter, enclosed is my original, I am in the process of making and serving the parties involved A.S.A.P. by the 10th as certified. I have envelopes, and postage.

The circumstances in the adversary complaint fall squarely within the non dischargeable provisions of the section 523 A.

I am not serving any sentence, I am not able to post Bail only,

Respectfully
John J Lynch

Certificate of Service

I John J Lynch hereby certifies that I have served a true and correct copy of the attached Motion/Petition to Appeal Nunc Pro tunc upon the persons listed below by 1st class mail on the 10th day of January 2016

John J Lynch

① Jennifer Schults
1410 W. Erie Ave
Phila PA, 19118

④ Evelyn Rivers
18814 Modena Ter,
Phila PA, 19134

② Ashley M Chan
US Bky Judge
900 Market st
Phila PA 19106

③ Gary F. Ditz Esq U.S. To
601 Walnut st Ste #280
Phila PA, 19106

③ Chief Judge
United States Bky Ct.
900 Market st
Phila PA 19106

⑤ KML Law Group
201 Market st Ste 3000
Phila PA 19106

In the United States Bankruptcy Court
for the Eastern District of Pennsylvania

John J. Lynch

Evelyn Rinero
Et al

} Adversary No[#] 1600301 AMC
2016

} Bankruptcy No[#] 16-166269 AMC
2016

Notice of appeal
Nunc Pro Tunc

Notice is hereby given that John J. Lynch
adversary / Plaintiff in the above captioned
matter hereby appeals the orders in the above
captioned matter on the 30th of November 2016
to the United States District Court on this
5th day of January 2017

John J. Lynch

In the United States Bankruptcy Court
for the Eastern District of Pennsylvania

John J Lynch

Adversary No. # 1600301-AMC

✓
Evelyn Rivera
Et al

Bankruptcy No. 16-16269-AMC

Adversary Motion / Petition to appeal
Nunc Pro tunc.

To: the Chief Judge of the Court,

The Adversary John J Lynch in the above captioned matter hereby moves / or Petitions the Court for appeal Nunc Pro tunc and represents the following in support thereof:

1. The Hon. Ashley M Chan entered an order of dismissal in the above captioned matter on November 30th 2016, **Exhibit D**
2. Prior to the order of dismissal the adversary Plaintiff had filed an appeal to the United States District Court on the Judges denial of the Petition to proceed in forma pauperis,

3. the adversary received nothing from the courts on the matter after he filed the appeal
4. on November 28th 2016 the adversary was taken from his home, and is detained at the Phila Prison system,
5. on January 5th 2017 the adversary received the court order of dismissal with prejudice hand delivered to him by C/O TITA in A-2-X at the CF CF facility.
6. The adversary is immediately responding -
7. the fact that the Courts notice of the order did not catch up to the adversary until January 5th 2016 are circumstances beyond his control
8. the adversary had family members go and pickup mail and remail it to him at the Phila County Jail, adversary attaches the Envelope it was sent in as Exhibit A - that which was handed to him by C/O TITA.

- 9, Adversary/Plaintiff acted with all due diligence and responsibility by contacting Postal authorities to have his mail forwarded, in addition to having family go get the mail repackaged it and remail it, attached is exhibit "B" the return change of address confirmation letter prompted by the letter sent to postal authorities by the adversary after being released from quarantine, and the change of address sent in by Anne Mae Morrow his aunt.
10. The Prison was extremely slow in processing the mail into the jail and delivering it to the adversary plaintiff not until January, 5, 2017. at which time adversary/Plaintiff received notice, the adversary/Plaintiff take issue as to the correctness of the order upon receipt and wishes to exercise his right of appeal, see attached Exhibits C
- 11, the adversary/Plaintiff takes issue as to the Hon. Ashley M. Chan proceeding in the matter while on appeal in the matter was pending in the first place,

12. therefore the Adversary/Plaintiff claims that he did not receive timely notice so as to allow him to file a timely notice of appeal through no fault of the adversary and that the Adversary is acting with all due diligence in the matter at the very moment of receipt of the order.
7pm on 1-5-17,

Wherefore Adversary Plaintiff respectfully request leave to appeal *Nunc Pro Tunc*.

John J Lynch
1-5-17



POSTMASTER
UNITED STATES POSTAL SERVICE
1000 W VALLEY RD
SOUTHEASTERN PA 19399-9001

DECEMBER 13, 2016

Dear Postal Customer:

Recently, you submitted a change-of-address order to the United States Postal Service® to forward your personal mail to an address identified as a business address. We have received your change-of-address order and have entered it into our mail forwarding systems.



JOHN LYNCH
7901 STATE RD # 562783CF
PHILADELPHIA PA 19136-3407

Please be advised that when you no longer wish to receive your mail at the business address, you must notify the business or firm to arrange for the forwarding of your mail. The business/firm is responsible for properly forwarding your mail to your new address, at their discretion. At that time, please contact them directly, as the USPS® is restricted from accepting change-of-address orders from families or individuals requesting that their mail be forwarded from a business/firm address.

As an alternative to forwarding your mail to a business, the USPS offers P.O. Boxes conveniently located at your local Post Office™ for a nominal rental fee. Check with your local Post Office or reserve a P.O. Box™ online at <https://www.usps.com/manage/PO-boxes.htm>.

If this order is temporary, delivery will resume to the original address when it expires.

Thank you for the opportunity to address this matter with you. We also appreciate your efforts to notify your correspondents of your new address. If you have any questions or need additional information about your change-of-address order or mail forwarding, please email COAHelp@usps.gov or call 1-800-ASK-USPS (1-800-275-8777).

Sincerely,

A handwritten signature in black ink that reads "James D. Wilson".

James D. Wilson
Director, Addressing & Geospatial Technology



**CHANGE OF ADDRESS CONFIRMATION**

225 N HUMPHREYS BLVD STE 501
MEMPHIS TN 38188-1033

DEC 13, 2016

ELECTRONIC SERVICE REQUESTED

This letter is to confirm that the US Postal Service® has received the following TEMPORARY Change-of-Address Order from you. We will begin forwarding your mail to your NEW address on the START DATE you provided: **DEC 7, 2016**, and discontinue forwarding on **JUN 7, 2017**.

Mail will be forwarded to the new address for
THE FOLLOWING INDIVIDUAL ONLY:

JOHN LYNCH

NEW ADDRESS

1002174 01 AB 0.396 **AUTO T1 3 6299 19136-340701 -C01-P02176-I 5 89



JOHN LYNCH
7901 STATE RD # 562783CF
PHILADELPHIA PA 19136-3407

**OLD ADDRESS**

JOHN LYNCH
3281 RED LION RD # 1
PHILADELPHIA PA 19114-1108

It is important for you to examine the above OLD and NEW address information. If any of the information is NOT correct or if you did NOT authorize this Change-of-Address Order, please call 1-800-ASK-USPS (1-800-275-8777) immediately.

If you need to View or Cancel this Change-of-Address Order or Change the Date to Start/Stop Forwarding your Mail, or Change from Temporary to Permanent Forwarding, visit managemymove.usps.com and enter the **Confirmation Code 1634 7535 3010 0420**.

Common Questions and Answers About Moving**Q. What should I do if I am not yet receiving mail at my new address?**

A. If it is more than ten days after the start date of your move and no mail has arrived, call 1-800-ASK-USPS (1-800-275-8777).

Q. Are Postal Service regulations for temporary address changes different than permanent address changes?

A. Yes. Pay special attention to your magazine and newspaper subscriptions. The Postal Service will forward these items for only 60 days. After that, if you have not notified your publisher, you will stop receiving magazines and newspapers until your Change-of-Address Order expires. Also, pay special attention to financial institutions. They often request that their mail not be forwarded. You should notify all your mailers of your temporary address and the time period during which it should be used.

Q. How should I let my friends, family members, magazine publishers, and business correspondents know of my new address?

A. Usually, magazines and business correspondence contain cards or instructions to inform them of your new address and the date you will be moving. In addition, your local post office can supply you, free of charge, with postcards that you can use as a convenient way to notify anyone of your new address and the date of your move.

As required by law, the Postal Service does not provide customer names or addresses to third parties.

PHILADELPHIA DEPARTMENT OF PRISONS
INMATE GRIEVANCE FORM

☐ ASD ☐ CFCF ☐ DC ☐ HOC ☐ PICC ☐ RCF

NAME: John S. Lynch

HOUSING UNIT: A 24 - 12

PID: 562783

INTAKE NUMBER:

Check box only if grievance is regarding Medical Services ☐

Description of Grievance, Incident or Problem
(Include date and time of incident)

My grievance is that my
Cousin went to my home and
got my mail and VA Pension
check and repackaged it
and mailed it to this facility.
He called and was told it
arrived, Why haven't I
got it there are time sensitive
Legal mailing in there

Action Requested by Inmate:

Please send me the legal mail there +
my VA check.

See: Continuation of Grievance - Page 2 YES ☐ No ☐

Describe how and when you tried to resolve this Grievance informally.

Date that you are depositing this Grievance in a grievance box:

Signature of Grievant:

John Lynch

Date:

12-31-16

PHILADELPHIA DEPARTMENT OF PRISONS
INMATE GRIEVANCE FORM

☐ ASD ☒ CFCF ☐ DC ☐ HOC ☐ PICC ☐ RCF

NAME: John J. Lynch

HOUSING UNIT: A-2-4-12

PID: 562283

INTAKE NUMBER:

Check box only if grievance is regarding Medical Services ☐

Description of Grievance, Incident or Problem
(Include date and time of incident)

JUST WANT TO know about
my mail that was remailed
to this location in package
lots of important legal mail
and my VA Pension check
inside

Action Requested by Inmate:

See: Continuation of Grievance – Page 2 YES ☐ No ☐

Describe how and when you tried to resolve this Grievance informally.

Date that you are depositing this Grievance in a grievance box:

Signature of Grievant:

Date:

1-2-17

3rd grievance on this

Attachment 3.F.10.a

PHILADELPHIA DEPARTMENT OF PRISONS
INMATE GRIEVANCE FORM

☐ ASD ☒ CFCF ☐ DC ☐ HOC ☐ PICC ☐ RCF

NAME: John J. Lynch

HOUSING UNIT: A-2-4, 12

PID: 562783

INTAKE NUMBER:

Check box only if grievance is regarding Medical Services ☐

Description of Grievance, Incident or Problem
(Include date and time of incident)

On or about Dec 8th 2016 my cousin remailed my mail from my home in a package with 2147 E Lottedy ST as a return address on it.

My VA Pension check and a large amount of important legal mail was on it in that package mailed here for me.

He called and was told that it was being inspected.

It has not been given to me. Why?

Legal mail is time sensitive, and my 1072.00 VA check should be on my account. What is going on with these things?

AND on 12-31-16 I gave C/O'S SECTION + Box large manila Envelope with 12-form for POSTAGE marked Urgent legal mail, Priority mail. Please see it goes out. I AM PAYING for it.

Action Requested by Inmate:

See: Continuation of Grievance - Page 2 YES ☐ No ☐

Describe how and when you tried to resolve this Grievance informally.

Date that you are depositing this Grievance in a grievance box:

Signature of Grievant:

Date: 1-11-17

PHILADELPHIA DEPARTMENT OF PRISONS
INMATE GRIEVANCE FORM

☐ ASD ☐ CFCF ☐ DC ☐ HOC ☐ PICC ☐ RCF

NAME:

HOUSING UNIT:

PID:

INTAKE NUMBER:

Check box only if grievance is regarding Medical Services ☐

Description of Grievance, Incident or Problem
(Include date and time of incident)

My grievance is that
my cousin got my VA Pension
check, and all my mail from my
house got and remailed it to the
jail, and I have not gotten it
He called and was told you are
going through it, very much
Legal mail Large
Package for me

Action Requested by Inmate:

See: Continuation of Grievance - Page 2 YES ☐ No ☐

Describe how and when you tried to resolve this Grievance informally.

I want my check put on my account
and my legal mail given to me

Date that you are depositing this Grievance in a grievance box:

Signature of Grievant:

Date:

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN J. LYNCH,

Plaintiff,

v

EVELYN RIVERA, BANK OF AMERICA,
BAYSHORE LOAN SERVICING and
KML LAW GROUP, INC.,

Defendants.

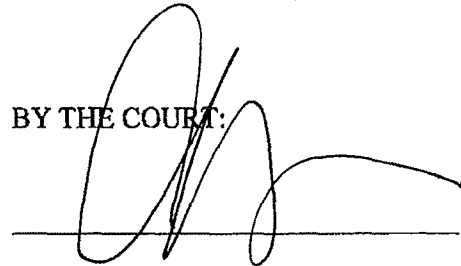
Adversary No. 16-00301-AMC

Bankruptcy No. 16-16269-AMC

ORDER

AND NOW, this 30th day of Nov, 2016, upon consideration of the Motion of Defendant Evelyn Rivera to Dismiss with Prejudice, it is hereby ORDERED and DECREED that Defendant Rivera's motion is hereby GRANTED. Plaintiff's Complaint is DISMISSED with prejudice.

BY THE COURT:



United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN J. LYNCH,

Plaintiff

v.

EVELYN RIVERA, BANK OF AMERICA,
BAYSHORE LOAN SERVICING and KML
GROUP, INC.,

Defendants

Adversary No. 16-00301-AMC

Bankruptcy No. 16-16269-AMC

ORDER

AND NOW, this



day of



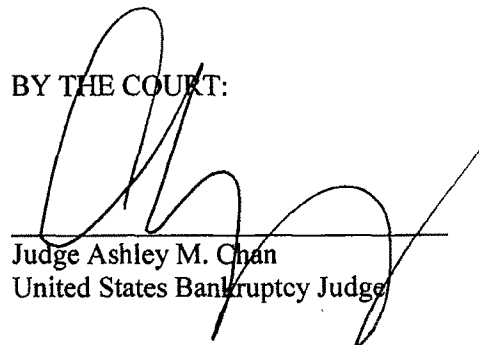
, 2016, upon consideration of

the Motion to Dismiss of Defendant, KML LAW GROUP, INC., and any response thereto, it is

hereby ORDERED and DECREED that the said Motion to Dismiss is GRANTED and Plaintiff's

Complaint is DISMISSED with prejudice.

BY THE COURT:



Judge Ashley M. Chan
United States Bankruptcy Judge

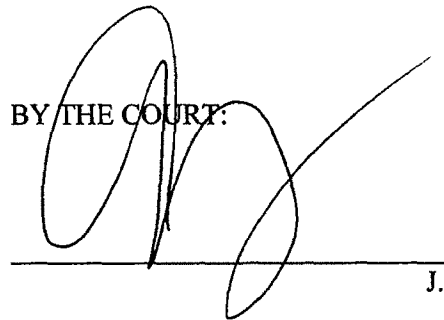
UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: EVELYN RIVERA <i>Debtor</i>	Bankruptcy No. 16-16269-AMC
JOHN J. LYNCH <i>Plaintiff</i>	Adversary No. 16-00301-AMC
v. EVELYN RIVERA, BANK OF AMERICA, BAYSHORE LOAN SERVICING and KML GROUP, INC. <i>Defendants</i>	

ORDER

AND NOW, this 28th day of Nov, 2016, after consideration of the Motion to Dismiss Plaintiff's Complaint filed by Defendants, Bayview Loan Servicing, LLC, improperly pled as Bayshore Loan Servicing ("Bayview"), and Bank of America, N.A., improperly pled as Bank of America ("BOA") (collectively, "Defendants"), and all responses thereto, it is hereby ORDERED that Defendants' Motion is GRANTED and Plaintiff's Adversary Complaint is hereby DISMISSED with prejudice.

BY THE COURT:



J.